

EIGHTIETH DAY

St. Paul, Minnesota, Thursday, March 19, 1992

The Senate met at 2:00 p.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Alfred Babington-Johnson.

The roll was called, and the following Senators answered to their names:

Adkins	Day	Johnson, J.B.	Metzen	Renneke
Beckman	DeCramer	Johnston	Moe, R.D.	Riveness
Belanger	Dicklich	Kelly	Mondale	Sams
Benson, D.D.	Finn	Knaak	Morse	Samuelson
Benson, J.E.	Flynn	Kroening	Neuville	Solon
Berg	Frank	Laidig	Novak	Spear
Berglin	Frederickson, D.J.	Langseth	Olson	Stumpf
Bernhagen	Frederickson, D.R.	Larson	Pappas	Terwilliger
Bertram	Gustafson	Lessard	Pariseau	Traub
Brataas	Halberg	Luther	Piper	Vickerman
Chmielewski	Hottinger	Marty	Pogemiller	Waldorf
Cohen	Hughes	McGowan	Price	
Dahl	Johnson, D.E.	Mehrkens	Ranum	
Davis	Johnson, D.J.	Merriam	Reichgott	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 17, 1992

The Honorable Dee Long
Speaker of the House of Representatives

The Honorable Jerome M. Hughes
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1992 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1992	Date Filed 1992
	1652	Res. No. 9	2:45 p.m. March 16	March 16

Sincerely,
Joan Anderson Growe
Secretary of State

March 18, 1992

The Honorable Jerome Hughes
President of the Senate

Dear President Hughes:

It is my pleasure to enclose herewith the names of all notary commissions in the State of Minnesota issued between January 1, 1991, and December 31, 1991.

Pursuant to the provisions of Article V, Section 3, of the Minnesota Constitution, I hereby appoint those individuals as notaries public and hereby request the advice and consent of the Senate in those appointments.

Warm personal regards,
Arne H. Carlson, Governor

Mr. Spear moved that the appointments of notaries public be laid on the table. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2034, 2081, 2082, 2254, 2369, 2577, 2704, 2711, 2744 and 2792.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 18, 1992

FIRST READING OF HOUSE BILLS

The following bills were read the first time and referred to the committees indicated.

H.F. No. 2034: A bill for an act relating to health; allowing persons who voluntarily provide assistance at the scene of an accident to obtain test results to determine whether they have been exposed to HIV or hepatitis B; amending Minnesota Statutes 1990, section 144.761, subdivision 5.

Referred to the Committee on Health and Human Services.

H.F. No. 2081: A bill for an act relating to health; modifying provider appeal requirements for medical assistance; amending Minnesota Statutes 1990, section 256B.50, subdivision 1b.

Referred to the Committee on Health and Human Services.

H.F. No. 2082: A bill for an act relating to utilities; requiring rules for tracing calls made to a household that has received harassing calls; proposing coding for new law in Minnesota Statutes, chapter 237.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2320.

H.F. No. 2254: A bill for an act relating to occupations and professions; clarifying membership requirements for the board of pharmacy; amending Minnesota Statutes 1991 Supplement, section 151.03.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2049.

H.F. No. 2369: A bill for an act relating to retirement; authorizing a benefit increase for certain retired police officers and surviving spouses in the city of Thief River Falls.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2242.

H.F. No. 2577: A bill for an act relating to towns; authorizing town boards to disclaim and extinguish a town interest in abandoned town roads; amending Minnesota Statutes 1990, section 164.06.

Referred to the Committee on Transportation.

H.F. No. 2704: A bill for an act relating to state government; increasing the size of the council on Asian-Pacific Minnesotans; providing for representation of various Asian-Pacific communities on the council; amending Minnesota Statutes 1991 Supplement, section 3.9226, subdivision 1.

Referred to the Committee on Governmental Operations.

H.F. No. 2711: A bill for an act relating to counties; establishing procedures for filling certain vacancies on county boards by general election; amending Minnesota Statutes 1990, section 375.101, by adding a subdivision.

Referred to the Committee on Elections and Ethics.

H.F. No. 2744: A bill for an act relating to the department of employee relations; modifying expense account terms and uses; amending Minnesota Statutes 1991 Supplement, section 43A.48.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2566.

H.F. No. 2792: A bill for an act relating to retirement; providing level benefits for members of the Minneapolis fire department relief association.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2581.

REPORTS OF COMMITTEES

Mr. Moe, R.D. moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 2534. The motion prevailed.

Mr. Chmielewski from the Committee on Employment, to which was referred

H.F. No. 2142: A bill for an act relating to employment; leaves of absence; assigning duties to the division of labor standards; modifying provisions relating to school conference leave for employees with children; amending Minnesota Statutes 1990, sections 177.26, subdivision 2; and 181.9412; proposing coding for new law in Minnesota Statutes, chapter 181.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 34, delete everything after the period and insert "*The department shall make the poster available, upon request, to employers for posting on the employer's premises.*"

Page 2, delete lines 35 and 36

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 2529: A bill for an act relating to labor; requiring arbitration in certain circumstances; establishing procedures; providing penalties; amending Minnesota Statutes 1990, sections 179.06, by adding a subdivision; and 179A.16, subdivision 3, and by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 5, after line 14, insert:

"(c) This subdivision does not apply to a group or unit of employees for two years after its creation as a result of a school district consolidation under Minnesota Statutes, chapter 122."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Chmielewski from the Committee on Employment, to which was referred

S.F. No. 2136: A bill for an act relating to labor; protecting interests of employees following railroad acquisitions; imposing a penalty; amending Minnesota Statutes 1990, sections 222.86, subdivision 3; 222.87, subdivision 3, and by adding subdivisions; and 222.88.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete lines 12 to 16 and insert:

"Subd. 2a. [CONTRACTS WITH LABOR ORGANIZATIONS.] Except for provisions governing wages, an acquiring carrier succeeds to and is bound by the contracts, agreements, and understandings between the divesting carrier and affected labor organizations for a period of six months or such longer period as may be agreed to by the parties."

And when so amended the bill do pass and be re-referred to the Committee on Transportation. Amendments adopted. Report adopted.

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 2650: A bill for an act relating to human services; providing for continuous eligibility for work readiness under certain conditions; extending eligibility duration; establishing a grant diversion program; changing penalties; amending Minnesota Statutes 1990, section 256D.101, by adding a subdivision; Minnesota Statutes 1991 Supplement, sections 256D.051, subdivisions 1 and 1a; and 256D.052, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 256D; repealing Minnesota Statutes 1990, section 256D.09, subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1991 Supplement, section 256D.05, subdivision 1, is amended to read:

Subdivision 1. [ELIGIBILITY.] (a) Each person or family whose income and resources are less than the standard of assistance established by the commissioner and who is a resident of the state shall be eligible for and entitled to general assistance if the person or family is:

(1) a person who is suffering from a professionally certified permanent or temporary illness, injury, or incapacity which is expected to continue for more than 30 days and which prevents the person from obtaining or retaining employment;

(2) a person whose presence in the home on a substantially continuous basis is required because of the professionally certified illness, injury, incapacity, or the age of another member of the household;

(3) a person who has been placed in, and is residing in, a licensed or certified facility for purposes of physical or mental health or rehabilitation, or in an approved chemical dependency domiciliary facility, if the placement is based on illness or incapacity and is pursuant to a plan developed or approved by the county agency through its director or designated representative;

(4) a person who resides in a shelter facility described in subdivision 3;

(5) a person not described in clause (1) or (3) who is diagnosed by a licensed physician, licensed psychologist, or other qualified professional, as mentally retarded or mentally ill, and that condition prevents the person from obtaining or retaining employment;

(6) a person who has an application pending for, or is appealing termination of benefits from, the social security disability program or the program of supplemental security income for the aged, blind, and disabled, provided the person has a professionally certified permanent or temporary illness, injury, or incapacity which is expected to continue for more than 30 days and which prevents the person from obtaining or retaining employment;

(7) a person who is unable to obtain or retain employment because advanced age significantly affects the person's ability to seek or engage in substantial work;

(8) a person who, following participation in the work readiness program,

completion of an individualized employability assessment by the work readiness service provider, and consultation between the county agency and the work readiness service provider, the county agency determines if the county agency determines that there exist positions of employment in the local labor market, regardless of the current availability of openings for those positions, that the person is capable of performing. Eligibility under this category must be reassessed at least annually by the county agency and must be based upon the results of a new individualized employability assessment completed by the work readiness service provider. The recipient shall, if otherwise eligible, continue to receive general assistance while the annual individualized employability assessment is completed by the work readiness service provider, rather than receive work readiness payments under section 256D.051. Subsequent eligibility for general assistance is dependent upon the county agency determining, following consultation with the work readiness service provider, that the person is not employable, or the person meeting the requirements of another general assistance category of eligibility;

(9) a person who is determined by the county agency, in accordance with emergency and permanent rules adopted by the commissioner, to be learning disabled, provided that if a rehabilitation plan for the person is developed or approved by the county agency, the person is following the plan;

(10) a child under the age of 18 who is not living with a parent, stepparent, or legal custodian, but only if: the child is legally emancipated or living with an adult with the consent of an agency acting as a legal custodian; the child is at least 16 years of age and the general assistance grant is approved by the director of the county agency or a designated representative as a component of a social services case plan for the child; or the child is living with an adult with the consent of the child's legal custodian and the county agency. For purposes of this clause, "legally emancipated" means a person under the age of 18 years who: (i) has been married; (ii) is on active duty in the uniformed services of the United States; (iii) has been emancipated by a court of competent jurisdiction; or (iv) is otherwise considered emancipated under Minnesota law, and for whom county social services has not determined that a social services case plan is necessary, for reasons other than that the child has failed or refuses to cooperate with the county agency in developing the plan;

(11) a woman in the last trimester of pregnancy who does not qualify for aid to families with dependent children. A woman who is in the last trimester of pregnancy who is currently receiving aid to families with dependent children may be granted emergency general assistance to meet emergency needs;

(12) a person who is eligible for displaced homemaker services, programs, or assistance under section 268.96, but only if that person is enrolled as a full-time student;

(13) a person who lives more than two hours round-trip traveling time from any potential suitable employment; ~~and~~

(14) a person who is involved with protective or court-ordered services that prevent the applicant or recipient from working at least four hours per day; ~~and~~

(15) a family as defined in section 256D.02, subdivision 5, which is

ineligible for the aid to families with dependent children program. If all children in the family are six years of age or older, or if suitable child care is available for children under age six at no cost to the family, all the adult members of the family must register for and cooperate in the work readiness program under section 256D.051. If one or more of the children is under the age of six and suitable child care is not available without cost to the family, all the adult members except one adult member must register for and cooperate with the work readiness program under section 256D.051. The adult member who must participate in the work readiness program is the one having earned the greater of the incomes, excluding in-kind income, during the 24-month period immediately preceding the month of application for assistance. When there are no earnings or when earnings are identical for each adult, the applicant must designate the adult who must participate in work readiness and that designation must not be transferred or changed after program eligibility is determined as long as program eligibility continues without an interruption of 30 days or more. The adult members required to register for and cooperate with the work readiness program are not eligible for financial assistance under section 256D.051, except as provided in section 256D.051, subdivision 6, and shall be included in the general assistance grant. If an adult member fails to cooperate with requirements of section 256D.051, the local agency shall not take that member's needs into account in making the grant determination as provided by the termination provisions of section 256D.051, subdivision 1a, paragraph (b). The time limits of section 256D.051, subdivision 1, do not apply to persons eligible under this clause;

(16) a person who is a drug dependent person as defined in section 254A.02, subdivision 5, and that condition prevents the person from obtaining or retaining employment. The determination of drug dependency must be made by an assessor qualified under Minnesota Rules, part 9530.6615, subpart 2, to perform an assessment of chemical use;

(17) a person who is unable to obtain or retain employment because the person is functionally illiterate or has not completed high school and the person is participating in a literacy program, GED, or high school assigned by the county agency. "Participate" means to attend regular classes, complete assignments, and make progress toward literacy goals or a high school diploma or general equivalency diploma; and

(18) a person who is unable to obtain or retain employment due to inability to communicate in the English language and who is participating at least half-time in a language skills program assigned by the county agency.

If a person under clause (17) or (18) fails to comply with participation requirements, the person is subject to the penalties under section 256D.101.

(b) Persons or families who are not state residents but who are otherwise eligible for general assistance may receive emergency general assistance to meet emergency needs.

(c) As a condition of eligibility under paragraph (a), clauses (1), (3), (5), (8), and (9), the recipient must complete an interim assistance agreement and must apply for other maintenance benefits as specified in section 256D.06, subdivision 5, and must comply with efforts to determine the recipient's eligibility for those other maintenance benefits.

(d) The burden of providing documentation for a county agency to use to verify eligibility for general assistance or work readiness is upon the

applicant or recipient. The county agency shall use documents already in its possession to verify eligibility, and shall help the applicant or recipient obtain other existing verification necessary to determine eligibility which the applicant or recipient does not have and is unable to obtain.

Sec. 2. Minnesota Statutes 1990, section 256D.05, is amended by adding a subdivision to read:

Subd. 8. [REFERRAL TO DEPARTMENT OF LABOR AND INDUSTRY.] A county agency that has reason to believe a person is employed but claims eligibility for general assistance or work assistance because the person's employer does not pay wages due as required under section 181.101 shall make a report to the department of labor and industry for investigation and collection of wages due on behalf of the person as provided in section 181.101.

Sec. 3. Minnesota Statutes 1991 Supplement, section 256D.051, subdivision 1, is amended to read:

Subdivision 1. [WORK REGISTRATION.] (a) Except as provided in this subdivision, persons who are residents of the state and whose income and resources are less than the standard of assistance established by the commissioner, but who are not categorically eligible under section 256D.05, subdivision 1, are eligible for the work readiness program for a maximum period of five consecutive calendar months during any 12 consecutive calendar month period, subject to the provisions of paragraph (d), subdivision 3, and section 256D.052, subdivision 4. The person's ~~five-month~~ eligibility period begins on the first day of the calendar month following the date of application for assistance or following the date all eligibility factors are met, whichever is later, ~~and ends on the last day of the fifth consecutive calendar month; whether or not the person has received benefits for all five months. The person is not eligible to receive work readiness benefits during the seven calendar months immediately following the five-month eligibility period;~~ however, the person may voluntarily continue to participate in work readiness services for up to three additional consecutive months immediately following the last month of benefits to complete the provisions of the person's employability development plan. *Initial payment will not be made until the registrant attends orientation to the work readiness program.* Prior to terminating work readiness assistance the county agency must provide advice on the person's eligibility for general assistance medical care and must assess the person's eligibility for general assistance under section 256D.05 to the extent possible, using information in the case file, and determine the person's eligibility for general assistance. A determination that the person is not eligible for general assistance must be stated in the notice of termination of work readiness benefits.

(b) Persons, families, and married couples who are not state residents but who are otherwise eligible for work readiness assistance may receive emergency assistance to meet emergency needs.

(c) Except for family members who must participate in work readiness services under the provisions of section 256D.05, subdivision 1, clause (14), any person who would be defined for purposes of the food stamp program as being enrolled at least half-time in an institution of higher education is ineligible for the work readiness program.

(d) Notwithstanding the provisions of sections 256.045 and 256D.10, during the pendency of an appeal, work readiness payments and services

shall not continue to a person who appeals the termination of benefits due to exhaustion of the period of eligibility specified in paragraph (a) or (d).

Sec. 4. Minnesota Statutes 1991 Supplement, section 256D.051, subdivision 1a, is amended to read:

Subd. 1a. [WORK READINESS PAYMENTS.] (a) Except as provided in this subdivision, grants of work readiness shall be determined using the standards of assistance, exclusions, disregards, and procedures which are used in the general assistance program. Work readiness shall be granted in an amount that, when added to the nonexempt income actually available to the assistance unit, the total amount equals the applicable standard of assistance.

(b) Except as provided in section 256D.05, subdivision 6, work readiness assistance must be paid on the first day of each month.

At the time the county agency notifies the assistance unit that it is eligible for family general assistance or work readiness assistance and by the first day of each month of services, the county agency must inform all mandatory registrants in the assistance unit that they must comply with all work readiness requirements that month, and that work readiness eligibility will end at the end of the month unless the registrants comply with work readiness requirements specified in the notice. A registrant who fails, without good cause, to comply with requirements during this time period, including attendance at orientation, will lose family general assistance or work readiness eligibility without notice under section 256D.101, subdivision 1, paragraph (b). The registrant shall, however, be sent a notice no later than five days after eligibility ends, which informs the registrant that family general assistance or work readiness eligibility has ended in accordance with this section for failure to comply with work readiness requirements. The notice shall set forth the factual basis for such determination and advise the registrant of the right to reinstate eligibility upon a showing of good cause for the failure to meet the requirements. Subsequent assistance must not be issued unless the person completes an application, is determined eligible, and complies with the *time periods outlined in section 256D.101, subdivision 4, and with the work readiness requirements that had not been complied with*, or demonstrates that the person had good cause for failing to comply with the requirement. The time during which the person is ineligible under these provisions is counted as part of the person's period of eligibility under subdivision 1.

(c) Notwithstanding the provisions of section 256D.01, subdivision 1a, paragraph (d), when one member of a married couple has exhausted the five months of work readiness eligibility in a 12-month period and the other member has one or more months of eligibility remaining within the same 12-month period, the standard of assistance applicable to the member who remains eligible is the first adult standard in the aid to families with dependent children program.

(d) Notwithstanding sections 256.045 and 256D.10, during the pendency of an appeal, work readiness payments and services shall not continue to a person who appeals the termination of benefits under paragraph (b).

Sec. 5. Minnesota Statutes 1990, section 256D.051, is amended by adding a subdivision to read:

Subd. 6a. [GENERAL ASSISTANCE SERVICE COSTS.] *Service costs for persons under section 256D.05, subdivision 1, clauses (17) and (18),*

must be reimbursed by the commissioner as provided in subdivision 6.

Sec. 6. Minnesota Statutes 1990, section 256D.051, is amended by adding a subdivision to read:

Subd. 17. [START WORK GRANTS.] Within the limit of available appropriations, the county agency may make grants necessary to enable work readiness recipients to accept bona fide offers of employment. The grants may be made for costs directly related to starting employment, including transportation costs, clothing, tools and equipment, license or other fees, and relocation. Start work grants are available once in any 12-month period to a recipient. The commissioner shall allocate money appropriated for start work grants to counties based on each county's work readiness caseload in the 12 months ending in March for each following state fiscal year and may reallocate any unspent amounts.

Sec. 7. [256D.091] [GRANT DIVERSION.]

Subdivision 1. [DEFINITIONS.] (a) "Diverted grant" means the amount of the general assistance grant or work readiness assistance payment, not exceeding the standard of assistance for one person, that is available for a wage subsidy.

(b) "Net monthly wage" means the income remaining to a registrant after taking the disregards and exclusions from income under section 256D.06.

(c) "Registrant" means a recipient of general assistance or work assistance who is participating in a grant diversion employment and employment-related program.

Subd. 2. [GRANT DIVERSION PROGRAM.] (a) The county agency may establish a grant diversion program for payment of all or a part of a recipient's general assistance or work readiness grant to a private or non-profit employer who agrees to employ the recipient in a permanent job or to a public employer who agrees to employ the recipient in a permanent job or an approved community investment program. The county agency may administer and deliver grant diversions directly or may contract for delivery of the program according to section 268.871.

(b) The county agency shall assess a registrant's continued eligibility for general assistance or work readiness assistance before the end of the registrant's grant diversion period.

(c) The county agency shall submit fiscal and summary reports required by the commissioner.

Subd. 3. [REGISTRANT PARTICIPATION.] (a) A recipient may refuse employment or employment-related training under the grant diversion program unless the recipient lacks a work history or local work reference and the recipient's employability plan requires participation in a community investment program.

(b) A recipient may participate in a grant diversion program for up to four months.

(c) During participation in the grant diversion program, a registrant must submit to the county agency the monthly food stamp eligibility household report form.

Subd. 4. [CONTRACT WITH GRANT DIVERSION EMPLOYER.] The county agency or the local service unit shall enter into a written contract

with a grant diversion employer. The contract must include:

- (1) the period of time the diverted grant is available;
- (2) the amount of the monthly diverted grant;
- (3) the method of payment of the diverted grant;
- (4) data gathering and reporting requirements;

(5) agreement by the employer not to terminate or reduce the working hours of current employees in order to participate in the grant diversion program;

(6) agreement by the employer to provide the registrant the same or a comparable level of wages, fringe benefits, and workers' compensation coverage that are provided other employees; and

(7) agreement by the employer to hire the registrant at the end of the grant diversion period.

Subd. 5. [NOTICE TO REGISTRANT.] The county agency or local service unit shall provide the registrant written notice of the terms of the registrant's grant diversion program, including:

(1) the requirement to complete the period of subsidized employment or employment-related training specified in the contract;

(2) the date of the first day of employment or employment-related training;

(3) the name, address, and occupational title of the employer;

(4) the hourly wage and the number of work hours per week;

(5) the effect of participation on work readiness eligibility;

(6) the maximum period of participation and the months the registrant's grant will be diverted;

(7) the amount of the diverted grant and the amount of any residual assistance grant; and

(8) the actions to be taken if the registrant fails to complete the grant diversion participation period.

The county agency shall maintain a copy of the notice in the registrant's case file.

Subd. 6. [GRANT DIVERSION MONTHLY PAYMENT.] (a) The county agency shall calculate and pay the diverted grant directly to the registrant's employer or shall reimburse an employment and training service provider that has paid the employer. The amount of monthly payment available to an employer under the grant diversion program must not exceed the monthly standard of assistance for one person.

(b) If a registrant is receiving assistance as a member of an assistance unit, the monthly payment to the assistance unit may be reduced only by the amount of the assistance standard for one person.

(c) Notwithstanding any change in resources, household, or income of the registrant or the registrant's assistance unit, eligibility for work readiness and the amount of monthly payment is not subject to change during the grant diversion period if the registrant is participating in the grant diversion program as required in the notice provided under subdivision 5.

Subd. 7. [MEDICAL CARE.] A registrant is eligible for general assistance medical care during the term of the grant diversion contract to the extent that medical care coverage is not provided by the employer.

Subd. 8. [CHILD CARE.] A recipient who is the sole adult in an assistance unit with one or more children under 12 years of age must not be referred to the grant diversion program during hours the child is in the home unless the county agency pays any child care expenses that exceed the child care deduction from earned income.

Subd. 9. [DISQUALIFICATION.] A registrant who fails without good cause to complete the grant diversion period specified in the contract must be disqualified from receiving assistance as provided in section 256D.101.

Sec. 8. Minnesota Statutes 1990, section 256D.101, is amended by adding a subdivision to read:

Subd. 4. [PENALTIES.] Failure by a registrant to comply with work readiness requirements results in the registrant being terminated from the program for the following time periods:

(1) a first occurrence of noncompliance without good cause within a 12-month period results in termination of the registrant from the program until compliance with the failed requirements;

(2) a second occurrence without good cause within a 12-month period results in termination of the registrant from the program until compliance with the failed requirements, or three months, whichever is longer; and

(3) a third or subsequent occurrence of noncompliance without good cause within a 12-month period results in termination of the registrant from the program until compliance with the failed requirements, or six months, whichever is longer.

If the registrant complies with the requirements before the effective date of termination, the time penalties in this section do not apply.

Sec. 9. Minnesota Statutes 1990, section 261.001, subdivision 1, is amended to read:

Subdivision 1. The town system for caring for the poor is hereby abolished; hereafter, the county welfare board of each county shall administer poor relief. *Poor relief means payment for costs as specifically required or authorized in this chapter, and does not include assistance to meet basic maintenance needs of poor or indigent persons.*

Sec. 10. Minnesota Statutes 1990, section 261.063, is amended to read:

261.063 [TAX LEVY FOR SOCIAL SECURITY MEASURES; DUTIES OF COUNTY BOARD.]

The board of county commissioners of each county shall annually levy taxes and fix a rate sufficient to produce the full amount required for ~~poor relief~~ *benefits specifically required or authorized in this chapter, and the county share of general assistance, aid to dependent children, county share of county and state supplemental aid to supplemental security income applicants or recipients, and any other social security measures wherein there is now or may hereafter be county participation, sufficient to produce the full amount necessary for each such item, including administrative expenses, for the ensuing year, within the time fixed by law in addition to all other tax levies and tax rates, however fixed or determined, and any commissioner*

who shall fail to comply herewith shall be guilty of a gross misdemeanor and shall be immediately removed from office by the governor.

Sec. 11. [REPEALER.]

Minnesota Statutes 1990, sections 256D.052, as amended by Laws 1991, chapter 292, article 5, sections 43 and 44; and 256D.09, subdivision 3, are repealed."

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "amending general assistance eligibility;"

Page 1, line 6, delete "section" and insert "sections 256D.05, by adding a subdivision; 256D.051, by adding subdivisions;"

Page 1, line 7, after the semicolon, insert "261.001, subdivision 1; 261.063;"

Page 1, line 8, after "sections" insert "256D.05, subdivision 1;"

Page 1, line 9, delete "and 256D.052, subdivision 4;"

Page 1, line 11, delete "section" and insert "sections 256D.052, as amended; and"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 2069: A bill for an act relating to agriculture; adding Roseau and Koochiching counties to the restricted seed potato growing area; amending Minnesota Statutes 1990, section 21.1196, subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 2566: A bill for an act relating to the department of employee relations; modifying expense account terms and uses; amending Minnesota Statutes 1991 Supplement, section 43A.48.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

H.F. No. 980: A bill for an act relating to the legislature; authorizing joint legislative commissions to issue subpoenas; amending Minnesota Statutes 1990, section 3.153.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 2367: A bill for an act relating to retirement; individual retirement account plan; expanding plan coverage to include certain higher education employees; amending Minnesota Statutes 1990, sections 136.88, subdivision 1; 352D.02, subdivisions 1 and 1a; 352D.03; 354B.01, subdivision 2, and by adding subdivisions; 354B.015; 354B.02, subdivisions 1, 4, and by adding subdivisions; 354B.03, by adding a subdivision; 354B.04, subdivision 1; and 354B.05, subdivision 1; Minnesota Statutes 1991 Supplement, section 354B.04, subdivision 2; repealing Laws 1986, chapter 458, section 36.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 26, insert:

“Sec. 2. Minnesota Statutes 1990, section 352C.033, is amended to read:

352C.033 [DEFERRED ANNUITIES AUGMENTATION.]

The deferred retirement allowance for any former constitutional officer or commissioner shall be augmented as provided in this section. The required reserves applicable to the deferred retirement allowance, determined as of the date the retirement allowance begins to accrue using the appropriate mortality table and an interest assumption of five percent, shall be augmented from the first of the month following termination of service as a constitutional officer or commissioner, or January 1, 1979, whichever is later, to the first day of the month in which the annuity begins to accrue, at the rate of five percent per annum compounded annually until January 1, 1981, and thereafter at the rate of three percent per annum compounded annually until January 1 of the year in which the former constitutional officer or commissioner attains age 55. From that date to the effective date of retirement, the rate is five percent compounded annually.”

Page 9, line 18, before the period, insert “; RETROACTIVE APPLICATION”

Page 9, line 19, delete “to 17” and insert “and 3 to 18” and after the period, insert “Section 2 is effective on the day following final enactment and applies to any former constitutional officer or commissioner eligible for a deferred retirement allowance on that date.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert “changing the formula for compounding interest on deferred annuities of constitutional officers or commissioners;”

Page 1, line 5, after the semicolon, insert “352C.033;”

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 1558: A bill for an act relating to retirement; public employees police and fire retirement fund local relief association consolidation accounts; providing for the establishment of a single local relief consolidation account for all consolidating relief associations located in the municipality; amending Minnesota Statutes 1990, section 353A.09, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [DULUTH POLICE AND FIRE PENSION PLANS; JOINT CONSOLIDATION ACCOUNT.]

(a) Notwithstanding any provision of Minnesota Statutes, section 353A.09, subdivision 1, to the contrary, if the Duluth fire department relief association consolidates with the public employees police and fire fund under Minnesota Statutes, chapter 353A, the executive director of the public employees retirement association shall establish a joint Duluth police and fire consolidation account for the consolidated Duluth police pension association and the consolidated Duluth fire department relief association.

(b) To that joint account must be credited the assets of the former Duluth police pension account and the assets of the former Duluth fire department relief association in existence upon the consolidation of the Duluth fire department relief association, plus member contributions received after that date under Minnesota Statutes, section 353A.09, subdivision 4, municipal contributions received after that date under Minnesota Statutes, section 353A.09, subdivision 5, and a proportionate share of investment income earned after that date by the public employees police and fire consolidation accounts.

(c) From that joint account must be transferred or paid the following:

(1) amounts for transfer to the Minnesota postretirement investment fund under Minnesota Statutes, section 353A.09, subdivisions 2 and 3, and Minnesota Statutes, section 353.271, subdivision 2, representing the required reserves for persons covered by the joint consolidation account who elect benefits calculated under the public employees police and fire fund benefit plan;

(2) pension and benefit amounts for persons covered by the joint consolidation account who elected coverage under the applicable relief association benefit plan under Minnesota Statutes, section 353A.08;

(3) benefit amounts not payable from the Minnesota postretirement investment fund for persons covered by the joint consolidation account who elected benefits calculated under the public employees police and fire fund benefit plan; and

(4) any direct administrative expenses of the public employees police and fire fund related to the special joint account and a proportional share of the general administrative expenses of the public employees retirement association.

(d) The executive director of the public employees retirement association shall maintain separate personnel data records in connection with each

consolidated relief association. The actuary retained by the legislative commission on pensions and retirement shall provide as part of the actuary's regular actuarial work for the consolidation accounts separate exhibits for each consolidated Duluth relief association.

(e) The executive director of the public employees retirement association shall adopt policies and procedures necessary for the administration of a joint consolidation account.

Sec. 2. [EFFECTIVE DATE; LOCAL APPROVAL.]

Section 1 is effective upon approval by the city council of the city of Duluth and compliance with Minnesota Statutes, section 645.021."

Delete the title and insert:

"A bill for an act relating to retirement; Duluth fire and police pension plans; authorizing a joint consolidation account in the event of the consolidation of the Duluth fire department relief association with the public employees police and fire fund."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 1728: A bill for an act relating to elected officials; compensation plans; prohibiting vacation and sick leave for certain elected officials of political subdivisions; amending Minnesota Statutes 1990, section 43A.17, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 471.66, is amended to read:
471.66 [VACATIONS.]

Subdivision 1. ~~Hereafter~~ The governing body of each city and town in the state of Minnesota, however organized, may by resolution or ordinance provide for the granting of vacations, with or without pay, to all its regularly employed employees or officers, upon such terms and under such conditions as said governing body may determine, and subject to such requirements as to length of service with such municipality as said governing body may require.

Subd. 2. Nothing in ~~the foregoing provisions~~ subdivision 1 shall be construed as retroactive in its purpose or intent so as to give the governing body of any such city or town the right to grant vacations based on service of its employees or officers rendered prior to the enactment of such ordinance or resolution.

Subd. 3. No elected official of a statutory or home rule charter city, county, town, school district, metropolitan or regional agency, or other political subdivision of this state, may receive monetary compensation for unused vacation or sick leave accruals. Nothing in this subdivision shall restrict an elected official from taking vacation or sick leave time that may be provided for by resolution or ordinance of the governing body of a

statutory or home rule charter city, county, town, school district, metropolitan or regional agency, or other political subdivision of this state."

Amend the title as follows:

Page 1, line 3, after "prohibiting" insert "compensation for unused"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 2396: A bill for an act relating to retirement; St. Paul teachers; making various changes in administrative provisions of laws governing the St. Paul teachers retirement fund association; amending Minnesota Statutes 1990, sections 354A.011, subdivisions 4, 8, 11, 12, 13, 14, 15, 21, 24, and 27; 354A.021, subdivision 6; 354A.05; 354A.08; 354A.096; 354A.36, subdivision 3; 354A.38, subdivision 3; and 354A.39; Minnesota Statutes 1991 Supplement, section 354A.011, subdivision 26; repealing Minnesota Statutes 1990, sections 354A.011, subdivision 2; and 354A.40, subdivisions 2 and 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, delete section 6

Page 8, after line 5, insert:

"Sec. 15. Minnesota Statutes 1990, section 354A.31, subdivision 3, is amended to read:

Subd. 3. [RESUMPTION OF TEACHING AFTER COMMENCEMENT OF A RETIREMENT ANNUITY.] Any person who retired and is receiving a coordinated program retirement annuity under the provisions of sections 354A.31 to 354A.41 and who has resumed teaching service for the school district in which the teachers retirement fund association exists is entitled to continue to receive retirement annuity payments except that annuity payments must be reduced during the calendar year immediately following the calendar year in which the person's income from the teaching service is in an amount greater than the annual maximum earnings allowable for that age for the continued receipt of full benefit amounts monthly under the federal old age, survivors and disability insurance program as set by the secretary of health and human services under the provisions of United States Code, title 42, section 403. The amount of the reduction must be ~~one-half~~ *one-third* the amount in excess of the applicable reemployment income maximum specified in this subdivision and must be deducted from the annuity payable for the calendar year immediately following the calendar year in which the excess amount was earned. If the person has not yet reached the minimum age for the receipt of social security benefits, the maximum earnings for the person must be equal to the annual maximum earnings allowable for the minimum age for the receipt of social security benefits.

If the person is retired for only a fractional part of the calendar year during the initial year of retirement, the maximum reemployment income specified in this subdivision must be prorated for that calendar year.

After a person has reached the age of 70, no reemployment income

maximum is applicable regardless of the amount of any compensation received for teaching service for the school district in which the teachers retirement fund association exists."

Pages 8 and 9, delete section 18 and insert:

"Sec. 18. [FIRST CLASS CITY TEACHERS PLANS, RETIREE RESUMING SERVICE.]

In accordance with Minnesota Statutes, section 354A.12, subdivision 4, approval is granted for the Minneapolis teachers retirement fund association, the St. Paul teachers retirement fund association, and the Duluth teachers retirement fund association, to amend the articles of incorporation or bylaws of the respective association. This authorization is to provide that any person who is retired and receiving a basic program formula retirement annuity under the articles of incorporation or bylaws of the Minneapolis teachers retirement fund association or the St. Paul teachers retirement fund association, or any person who is retired and receiving an old law coordinated program formula retirement annuity under the articles of incorporation or bylaws of the Duluth retirement fund association, and who has resumed teaching service for the school district covered by that same retirement fund association, is entitled to continue to receive retirement annuity payments. However, the annuity payments must be reduced in accordance with Minnesota Statutes, section 354A.31, subdivision 3, if the person's income from teaching service is an amount greater than the maximum earnings allowable for that age for the continued receipt of full benefit amounts monthly under the federal old age, survivors, and disability insurance program as set by the Secretary of Health and Human Services under United States Code, title 42, section 403.

Sec. 19. [MINNEAPOLIS RESERVE TEACHERS, EXCLUSION OF PRIOR SERVICE.]

A reserve teacher providing service to special school district No. 1 prior to July 1, 1988, for whom contributions were not made to the Minneapolis teachers retirement fund association is not eligible to receive service credit for the period or periods of omitted contributions, unless service credit has previously been granted for the period or periods. On or after July 1, 1992, reserve teachers meeting the definition of a teacher as defined under Minnesota Statutes, section 354A.011, subdivision 27, and providing service to special school district No. 1 must become members and contributions must be deducted as required by Minnesota Statutes, section 354A.12.

Sec. 20. [OMITTED CONTRIBUTION REIMBURSEMENT; MINNEAPOLIS TEACHERS RETIREMENT FUND ASSOCIATION AND SPECIAL SCHOOL DISTRICT NO. 1.]

Subdivision 1. [REIMBURSEMENT AUTHORIZATION.] Special school district No. 1 is authorized to be reimbursed for a portion of contributions certified by the executive director of the Minneapolis teachers retirement fund association to the commissioner of finance under Laws 1991, chapter 317, sections 3 and 6, if the omitted contributions occurred during the period of July 1, 1988, to July 1, 1991, and were certified to the commissioner of finance before January 31, 1992.

Subd. 2. [TEACHER NOTIFICATION.] The executive director of the Minneapolis teachers retirement fund association and the school board must jointly notify in writing teachers with omitted contributions identified in

subdivision 1 of their option to make payment of omitted employee contributions without interest.

Subd. 3. [PAYMENT PROCEDURE.] If an individual notified under subdivision 2 elects to make payment, the full amount must be remitted to the association in a lump sum within 60 days of notification, or the individual may elect to make payment through a payroll deduction. If the individual chooses to make payment through a payroll deduction, that option must be selected within 60 days of notification. The payroll deduction period may not exceed one year. The employing unit must transmit amounts withheld through payroll deductions to the association along with normal payroll contributions.

Subd. 4. [SCHOOL DISTRICT REIMBURSEMENT.] On a quarterly basis, the executive director of the association will determine the amounts received by the association under subdivision 3 through direct lump-sum payments and payroll deductions. The employing unit will be notified of these amounts received by the association, and the employing unit may withhold an equivalent amount from subsequent obligations under Minnesota Statutes, section 354A.12, subdivision 2.

Subd. 5. [EFFECT OF TEACHER NONPAYMENT.] (a) If a teacher notified under subdivision 2 does not elect to make payments under subdivision 3, or if full payment is not received within the required time limits, the teacher is not entitled to the service credit for the period of omitted contributions identified in subdivision 1, or for any earlier period, and the teacher forfeits any option to purchase that service credit at a later date.

(b) For individuals identified in paragraph (a), the association must determine an amount equivalent to the omitted employee contribution, without interest, for the period specified in subdivision 1. This amount shall be applied by the employer against subsequent obligations under Minnesota Statutes, section 354A.12, subdivision 2."

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 2 and 4, delete "St. Paul" and insert "first class city"

Page 1, line 5, delete "association" and insert "associations"

Page 1, line 6, delete "14,"

Page 1, line 8, after the second semicolon, insert "354A.31, subdivision 3;" and after the third semicolon, insert "and"

Page 1, line 9, delete "and 354A.39;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 2282: A bill for an act relating to state government; regulating administrative rulemaking; providing for corrective legislation; requiring the attorney general and administrative law judge to disregard harmless errors; regulating dual notices; establishing an expedited procedure for federally mandated rules; amending Minnesota Statutes 1990, sections 3C.04, subdivision 4; 14.115, subdivision 5; 14.15, by adding a subdivision;

14.22; 14.26; and 14.32; proposing coding for new law in Minnesota Statutes, chapter 14.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1990, section 3C.04, subdivision 4, is amended to read:

Subd. 4. [TECHNICAL BILLS.] The revisor's office shall prepare and submit to the legislature bills clarifying and correcting the statutes *and administrative rules*.

Sec. 2. Minnesota Statutes 1990, section 14.115, subdivision 5, is amended to read:

Subd. 5. [COMPLIANCE.] If an administrative law judge or the attorney general finds that an agency has failed to comply with subdivisions 1 to 4, the rules shall not be adopted *unless the failure to comply is considered a harmless error under section 14.15, subdivision 5; 14.26, subdivision 3; or 14.32, subdivision 2*.

Sec. 3. Minnesota Statutes 1990, section 14.15, subdivision 1, is amended to read:

Subdivision 1. [TIME OF PREPARATION.] After allowing written material to be submitted and recorded in the hearing record for five working days after the public hearing ends, or for a longer period not to exceed 20 days if ordered by the administrative law judge, the administrative law judge assigned to the hearing shall write a report as provided for in section 14.50. Prior to writing the report, the administrative law judge shall allow the agency and interested persons ~~three business~~ *five working* days after the submission period ends to respond in writing to any new information submitted. During the ~~three-day~~ *five-day* period, the agency may indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. Additional evidence may not be submitted during this ~~three-day~~ *five-day* period. The written responses shall be added to the rulemaking record.

Sec. 4. Minnesota Statutes 1990, section 14.15, is amended by adding a subdivision to read:

Subd. 5. [HARMLESS ERRORS.] *The administrative law judge shall disregard any error or defect in the proceeding due to the agency's failure to satisfy any procedural requirement imposed by law or rule if the administrative law judge finds:*

(1) that the failure did not deprive any person or entity of an opportunity to participate meaningfully in the rulemaking process; or

(2) that the agency has taken corrective action to cure the error or defect so that the failure did not deprive any person or entity of an opportunity to participate meaningfully in the rulemaking process.

Sec. 5. Minnesota Statutes 1990, section 14.22, is amended to read:

14.22 [NOTICE OF PROPOSED ADOPTION OF RULES.]

Subdivision 1. [CONTENTS.] Unless an agency proceeds directly to a public hearing on a proposed rule and gives the notice prescribed in section

14.14, subdivision 1a, the agency shall give notice of its intention to adopt a rule without public hearing. The notice shall be given by publication in the State Register and by United States mail to persons who have registered their names with the agency pursuant to section 14.14, subdivision 1a. The mailed notice shall include either a copy of the proposed rule or a description of the nature and effect of the proposed rule and an announcement that a free copy of the proposed rule is available on request from the agency. The notice in the State Register shall include the proposed rule or the amended rule in the form required by the revisor under section 14.07, and a citation to the most specific statutory authority for the proposed rule. When an entire rule is proposed to be repealed, the notice need only state that fact, giving the citation to the rule to be repealed in the notice. The notice shall include a statement advising the public:

(1) that they have 30 days in which to submit comment in support of or in opposition to the proposed rule and that comment is encouraged;

(2) that each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed;

(3) that if 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held;

(4) of the manner in which persons shall request a public hearing on the proposed rule;

(5) that the name and address of the person requesting a public hearing shall be stated, and that the requester is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed;

(6) that the proposed rule may be modified if the modifications are supported by the data and views submitted; and

(7) that if a hearing is not required, notice of the date of submission of the proposed rule to the attorney general for review will be mailed to any person requesting to receive the notice.

In connection with the statements required in clauses (1) and (3), the notice must also include the date on which the 30-day comment period ends.

Subd. 2. [DUAL NOTICES.] The agency may, at the same time notice is given under subdivision 1, give notice of a public hearing and of its intention to proceed under sections 14.14 to 14.20, if one is required under section 14.25. The notice must include a statement advising the public of its intention to cancel the public hearing if 25 or more persons do not request one. If a hearing is required, there must be at least ten calendar days between the last day for requesting a hearing and the day of the hearing.

Sec. 6. Minnesota Statutes 1990, section 14.26, is amended to read:

14.26 [ADOPTION OF PROPOSED RULE; SUBMISSION TO ATTORNEY GENERAL.]

Subdivision 1. [SUBMISSION.] If no hearing is required, the agency shall submit to the attorney general the proposed rule and notice as published, the rule as proposed for adoption, any written comments received by the agency, and a statement of need and reasonableness for the rule. The agency shall give notice to all persons who requested to be informed that these materials have been submitted to the attorney general. This notice shall be given on the same day that the record is submitted. If the proposed

rule has been modified, the notice shall state that fact, and shall state that a free copy of the proposed rule, as modified, is available upon request from the agency. The rule and these materials shall be submitted to the attorney general within 180 days of the day that the comment period for the rule is over or the rule is automatically withdrawn. The agency shall report its failure to adopt the rules and the reasons for that failure to the legislative commission to review administrative rules, other appropriate legislative committees, and the governor.

Subd. 2. [RESUBMISSION.] Even if the 180-day period expires while the attorney general reviews the rule, if the attorney general rejects the rule, the agency may resubmit it after taking corrective action. The resubmission must occur within 30 days of when the agency receives written notice of the disapproval. If the rule is again disapproved, the rule is withdrawn. An agency may resubmit at any time before the expiration of the 180-day period. If the agency withholds some of the proposed rule, it may not adopt the withheld portion without again following the procedures of sections 14.14 to 14.28, or 14.29 to 14.36.

Subd. 3. [REVIEW.] The attorney general shall approve or disapprove the rule as to its legality and its form to the extent the form relates to legality, including the issue of substantial change, and determine whether the agency has the authority to adopt the rule and whether the record demonstrates a rational basis for the need for and reasonableness of the proposed rule within 14 days. If the rule is approved, the attorney general shall promptly file two copies of it in the office of the secretary of state. The secretary of state shall forward one copy of each rule to the revisor of statutes. If the rule is disapproved, the attorney general shall state in writing the reasons and make recommendations to overcome the deficiencies, and the rule shall not be filed in the office of the secretary of state, nor published until the deficiencies have been overcome. The attorney general shall send a statement of reasons for disapproval of the rule to the agency, the chief administrative law judge, the legislative commission to review administrative rules, and to the revisor of statutes.

The attorney general shall disregard any error or defect in the proceeding due to the agency's failure to satisfy any procedural requirements imposed by law or rule if the attorney general finds:

(1) that the failure did not deprive any person or entity of an opportunity to participate meaningfully in the rulemaking process; or

(2) that the agency has taken corrective action to cure the error or defect so that the failure did not deprive any person or entity of an opportunity to participate meaningfully in the rulemaking process.

Subd. 4. [COSTS.] The attorney general shall assess an agency for the actual cost of processing rules under this section. The agency shall pay the attorney general's assessments using the procedures of section 8.15. Each agency shall include in its budget money to pay the attorney general's assessment. Receipts from the assessment must be deposited in the state treasury and credited to the general fund.

Sec. 7. Minnesota Statutes 1990, section 14.30, is amended to read:

14.30 [NOTICE OF PROPOSED ADOPTION OF EMERGENCY RULE.]

The proposed emergency rule shall be published with a notice of intent to adopt emergency rules in the State Register, and the same notice shall

be mailed to all persons registered with the agency to receive notice of any rulemaking proceedings. The notice shall include a statement advising the public that a free copy of the proposed rule is available on request from the agency and that notice of the date of submission of the proposed emergency rule to the attorney general will be mailed to any person requesting to receive the notice. For at least 25 days after publication the agency shall afford all interested persons an opportunity to submit data and views on the proposed emergency rule in writing. *The notice must also include the date on which the 25-day comment period ends.*

Sec. 8. Minnesota Statutes 1990, section 14.32, is amended to read:

14.32 [SUBMISSION OF PROPOSED EMERGENCY RULE TO ATTORNEY GENERAL.]

Subdivision 1. [SUBMISSION.] The agency shall submit to the attorney general the proposed emergency rule as published, with any modifications. On the same day that it is submitted, the agency shall mail notice of the submission to all persons who requested to be informed that the proposed emergency rule has been submitted to the attorney general. If the proposed emergency rule has been modified, the notice shall state that fact, and shall state that a free copy of the proposed emergency rule, as modified, is available upon request from the agency.

Subd. 2. [REVIEW.] The attorney general shall review the proposed emergency rule as to its legality, review its form to the extent the form relates to legality, and shall approve or disapprove the proposed emergency rule and any modifications on the tenth working day following the date of receipt of the proposed emergency rule from the agency. The attorney general shall send a statement of reasons for disapproval of the rule to the agency, the chief administrative law judge, the legislative commission to review administrative rules, and to the revisor of statutes.

The attorney general shall disregard any error or defect in the proceeding due to the agency's failure to satisfy any procedural requirement imposed by law or rule if the attorney general finds:

(1) that the failure did not deprive any person or entity of an opportunity to participate meaningfully in the rulemaking process; or

(2) that the agency has taken corrective action to cure the error or defect so that the failure did not deprive any person or entity of an opportunity to participate meaningfully in the rulemaking process.

Subd. ~~2~~ 3. [COSTS.] The attorney general shall assess an agency for the actual cost of processing rules under this section. Each agency shall include in its budget money to pay the attorney general's assessment. Receipts from the assessment must be deposited in the state treasury and credited to the general fund.

Sec. 9. [DUAL NOTICE RULES.]

The attorney general, after consultation with the office of administrative hearings, shall adopt rules prescribing the form and content of the notice authorized by Minnesota Statutes, section 14.22, subdivision 2. The rules may provide for a consolidated notice that satisfies the requirements of Minnesota Statutes, sections 14.14, 14.22, and 14.50, and the requirements of the rules of the office of administrative hearings and of the attorney general.

Sec. 10. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to state government; regulating administrative rulemaking; providing for corrective legislation; extending the response period that precedes the writing of an administrative law judge's report on rules adopted after public hearing; requiring the attorney general and administrative law judge to disregard harmless errors; regulating notices; amending Minnesota Statutes 1990, sections 3C.04, subdivision 4; 14.115, subdivision 5; 14.15, subdivision 1, and by adding a subdivision; 14.22; 14.26; 14.30; and 14.32."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Novak from the Committee on Energy and Public Utilities, to which was referred

S.F. No. 2503: A bill for an act relating to telecommunications; authorizing the telecommunications access for communication-impaired persons' board to advance money to contractors under certain conditions; prescribing the terms and compensation of board members; amending Minnesota Statutes 1990, sections 237.51, subdivision 3; and 237.52, subdivision 5.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Mr. Spear from the Committee on Judiciary, to which was referred

S.F. No. 2086: A bill for an act relating to courts; providing for the distribution of certain court revenue in Ramsey county; amending Minnesota Statutes 1990, section 488A.20, subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, after line 15, insert:

"Sec. 2. [ADJUSTMENTS TO LEVY LIMITS.]

If the repeal of Minnesota Statutes, sections 275.50 to 275.58, is delayed or is reenacted by a law enacted in the 1992 legislative session, the commissioner of revenue shall adjust the payable 1993 levy limitations for the city of St. Paul and Ramsey county. The commissioner shall decrease St. Paul's levy limitation by an amount equal to the estimated increase in revenue which the city will be receiving in calendar year 1993 based upon the change in the distribution of fines or penalties under Minnesota Statutes, section 488A.20, subdivision 4. The commissioner shall increase Ramsey county's levy limitation by an amount equal to the estimated loss in revenue to Ramsey county in calendar year 1993 resulting from the change in distribution of fines or penalties under section 488A.20, subdivision 4. For purposes of the levy limit adjustments made under this section, collections estimated in Ramsey county's 1992 adopted budget will be used to determine the revenue loss to the county and the revenue gain to the city. This adjustment will be a permanent levy limit base adjustment for taxes payable in 1994 and subsequent years. The amounts shall be certified to the commissioner of revenue by the Ramsey county court administrator on or before

June 1, 1992.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective for collections made July 1, 1992, and thereafter."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "providing for an adjustment to levy limits;"

And when so amended the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Amendments adopted. Report adopted.

Mr. Solon from the Committee on Commerce, to which was re-referred

S.F. No. 2509: A bill for an act relating to motor fuels; weights and measures; regulating octane and oxygenated fuels; appropriating money; amending Minnesota Statutes 1990, sections 41A.09, subdivision 2, and by adding a subdivision; 239.06; 239.75; 239.79; 239.80; 296.01, subdivisions 1, 2, 3, 4, 4a, 4b, 15, 24, and by adding subdivisions; 296.02, subdivisions 1, 2, and 7; Minnesota Statutes 1991 Supplement, section 239.05, subdivision 1, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 239; repealing Minnesota Statutes 1990, sections 239.75, subdivisions 3 and 4; 239.76, as amended; 239.79, subdivisions 1 and 2; 296.01, subdivision 2a; and 325E.09.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 2272: A bill for an act relating to the legislature; declaring a state policy for children, youth, and their families; amending the responsibilities of the legislative commission on children, youth, and their families; appropriating money; amending Minnesota Statutes 1991 Supplement, section 3.873, subdivisions 1, 4, 5, and by adding a subdivision.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 2534: A bill for an act relating to human services; revising conditions covered under Minnesota family investment plan; expanding persons considered when determining family income; delaying the date of implementation for field trials of Minnesota family investment plan; amending Minnesota Statutes 1991 Supplement, sections 256.031, subdivision 3; 256.033, subdivisions 1, 2, 3, and 5; 256.034, subdivision 3; 256.035, subdivision 1; and 256.0361, subdivision 2.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Rules and Administration.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

Ms. Berglin from the Committee on Health and Human Services, to which was referred

S.F. No. 1835: A bill for an act relating to public debt; providing for the construction of the Northwest Juvenile Training Center; appropriating money.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Ms. Berglin from the Committee on Health and Human Services, to which was re-referred

S.F. No. 1846: A bill for an act relating to corrections; requiring community-based sex offender treatment programs to be certified; establishing a sex offender treatment fund; requiring the legislative auditor to prepare a plan to implement an outcome-based evaluation and quality management system for sex offender treatment programs; requiring a report; requiring new and remodeled correctional facilities to comply with multiple occupancy standards; appropriating money; amending Minnesota Statutes 1990, sections 241.021, by adding a subdivision; 241.67, subdivisions 1, 2, and 3; 242.195, subdivision 1; and 243.53; proposing coding for new law in Minnesota Statutes, chapters 241; and 244.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 17, insert:

“Section 1. [145.9265] [FETAL ALCOHOL SYNDROME AND EFFECTS AND DRUG-EXPOSED INFANT PREVENTION.]

The commissioner of health, in coordination with the commissioner of education and the commissioner of human services, shall design and implement a coordinated prevention effort to reduce the rates of fetal alcohol syndrome and fetal alcohol effects, and reduce the number of drug-exposed infants. The commissioner shall:

(1) conduct research to determine the most effective methods of preventing fetal alcohol syndrome, fetal alcohol effects, and drug-exposed infants and to determine the best methods for collecting information on the incidence and prevalence of these problems in Minnesota;

(2) provide training on effective prevention methods to health care professionals and human services workers; and

(3) operate a statewide media campaign focused on reducing the incidence of fetal alcohol syndrome and fetal alcohol effects, and reducing the number of drug-exposed infants.”

Page 1, line 25, delete “9530.4450” and insert “9530.6500”

Page 2, line 14, delete “5” and insert “6”

Page 9, line 7, delete “certified” and insert “licensed”

Page 9, after line 8, insert:

“All chemical dependency programs operated by the commissioner of corrections shall report on the drug and alcohol abuse normative evaluation system operated by the department of human services and shall participate in the department of human services treatment accountability plan.”

Page 10, after line 12, insert:

"Sec. 11. Minnesota Statutes 1990, section 254A.14, is amended by adding a subdivision to read:

Subd. 3. [GRANTS FOR TREATMENT OF HIGH-RISK YOUTH.] The commissioner of human services shall award grants on a pilot project basis to develop culturally specific chemical dependency treatment programs for minority and other high-risk youth, including those enrolled in area learning centers, those presently in residential chemical dependency treatment, and youth currently under commitment to the commissioner of corrections or detained under chapter 260. Proposals submitted under this section shall include an outline of the treatment program components, a description of the target population to be served, and a protocol for evaluating the program outcomes.

Sec. 12. Minnesota Statutes 1990, section 254A.17, subdivision 1, is amended to read:

Subdivision 1. [MATERNAL AND CHILD SERVICE PROGRAMS.] (a) The commissioner shall fund maternal and child health and social service programs designed to improve the health and functioning of children born to mothers using alcohol and controlled substances. Comprehensive programs shall include immediate and ongoing intervention, treatment, and coordination of medical, educational, and social services through a child's preschool years. Programs shall also include research and evaluation to identify methods most effective in improving outcomes among this high-risk population.

(b) The commissioner of human services shall develop models for the treatment of children ages 6 to 12 who are in need of chemical dependency treatment. The commissioner shall fund at least two pilot projects with qualified providers, to provide nonresidential treatment for children in this age group. Model programs must include a component to monitor and evaluate treatment outcomes.

Sec. 13. Minnesota Statutes 1990, section 254A.17, is amended by adding a subdivision to read:

Subd. 1a. [PROGRAM FOR PREGNANT WOMEN AND WOMEN WITH CHILDREN.] Within the limits of funds available, the commissioner of human services shall fund programs providing specialized chemical dependency treatment for pregnant women and women with children. The programs shall provide prenatal care, child care, housing assistance, and other services needed to ensure successful treatment.

Sec. 14. Minnesota Statutes 1991 Supplement, section 299A.31, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT; MEMBERSHIP.] A chemical abuse prevention resource council consisting of 47 19 members is established. The commissioners of public safety, education, health, corrections, and human services, the director of the office of strategic and long-range planning, and the attorney general shall each appoint one member from among their employees. The speaker of the house of representatives and the subcommittee on committees of the senate shall each appoint a legislative member. The governor shall appoint an additional ten members who shall represent the demographic and geographic composition of the state and, to the extent possible, shall represent the following: public health; education

including preschool, elementary, and higher education; social services; financial aid services; chemical dependency treatment; law enforcement; prosecution; defense; the judiciary; corrections; treatment research professionals; drug abuse prevention professionals; the business sector; religious leaders; representatives of racial and ethnic minority communities; and other community representatives. The members shall designate one of the governor's appointees as chair of the council. Compensation and removal of members are governed by section 15.059.

Sec. 15. Minnesota Statutes 1991 Supplement, section 299A.32, subdivision 2a, is amended to read:

Subd. 2a. [GRANT PROGRAMS.] The council shall, *in coordination with the assistant commissioner of the office of drug policy*, review and approve state agency plans regarding the use of federal funds for programs to reduce chemical abuse or reduce the supply of controlled substances. The appropriate state agencies would have responsibility for management of state and federal drug grant programs.

Sec. 16. [299A.325] [STATE CHEMICAL HEALTH INDEX MODEL.]

The assistant commissioner of the office of drug policy and the chemical abuse prevention resource council shall develop and test a chemical health index model to help assess the state's chemical health and coordinate state policy and programs relating to chemical abuse prevention and treatment. The chemical health index model shall assess a variety of factors known to affect the use and abuse of chemicals in different parts of the state including, but not limited to, demographic factors, risk factors, health care utilization, drug-related crime, productivity, resource availability, and overall health.

Sec. 17. [STATEWIDE MEDIA CAMPAIGN.]

The commissioner of health, in collaboration with the commissioner of human services and the commissioner of public safety, shall design and implement a statewide mass media campaign for the promotion of chemical health. The campaign must use both traditional and nontraditional media and focus on and support chemical health activities conducted at the community level with diverse and targeted populations. The campaign must last a minimum of six months, and be coordinated with local school and community educational efforts, policy, skills training, and behavior modeling."

Page 10, line 29, delete "2 to 5" and insert "3 to 6"

Page 12, line 25, delete "9" and insert "10"

Page 12, after line 29, insert:

"Sec. 23. [APPROPRIATIONS; DEPARTMENT OF HUMAN SERVICES.]

Subdivision 1. [PROGRAMS FOR HIGH-RISK YOUTH.] \$ is appropriated from the general fund to the commissioner of human services for the fiscal year ending June 30, 1993, for purposes of funding programs under section 11.

Subd. 2. [PROGRAMS FOR PREGNANT WOMEN AND WOMEN WITH CHILDREN.] \$ is appropriated from the general fund to the commissioner of human services for the fiscal year ending June 30, 1993, for purposes of funding programs under section 13.

Subd. 3. [TREATMENT PROGRAMS FOR CHILDREN.] \$

is appropriated from the general fund to the commissioner of human services for the fiscal year ending June 30, 1993, for purposes of funding pilot projects under section 12.

Subd. 4. [CHEMICAL USE ASSESSMENTS.] \$ is appropriated from the general fund to the commissioner of human services for the fiscal year ending June 30, 1993, to pay for chemical use assessments ordered by juvenile courts under section

\$ is appropriated to the commissioner of human services to provide funding to local agencies to partially pay for the cost of chemical use assessment activity required in Minnesota Statutes, section 609.11, subdivision 8. The commissioner is authorized to require local county coordination of assessment billing and a single invoice from each county per quarter that summarizes the number of assessments performed and the cost. The commissioner may pay, within the limitations of available appropriations, for up to 25 percent of the actual cost of the assessments performed."

Page 12, line 31, delete "14" and insert "23"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after the first semicolon, insert "requiring coordinated prevention efforts concerning fetal alcohol syndrome and drug-exposed infants; appropriating money for community chemical abuse prevention program grants; providing grants for chemical dependency programs targeted at pregnant women and mothers, high-risk youth, and young children; expanding the membership of the chemical abuse prevention resource council; requiring the development of a chemical health index model; requiring a statewide chemical health media campaign;"

Page 1, line 13, delete "and" and after "243.53;" insert "254A.14, by adding a subdivision; 254A.17, subdivision 1, and by adding a subdivision; Minnesota Statutes 1991 Supplement, sections 299A.31, subdivision 1; and 299A.32, subdivision 2a;"

Page 1, line 14, after "chapters" insert "145;" and delete "and"

Page 1, line 15, before the period, insert "; and 299A"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Davis from the Committee on Agriculture and Rural Development, to which was referred

S.F. No. 2517: A bill for an act relating to agriculture; changing maximum annual ethanol producer payments in certain years; transferring certain money for an ethanol producers handbook; amending Minnesota Statutes 1991 Supplement, section 41A.09, subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 17 and 19, strike "2000" and insert "2002"

Page 2, delete line 8 and insert "~~beginning July 1, 1993, and ending prior to June 30, 2000~~ 2002. Total"

Page 2, delete section 2

Page 3, line 2, delete everything after the period

Page 3, delete line 3

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete line 4

Page 1, line 5, delete "handbook;"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was re-referred

S.F. No. 2186: A bill for an act relating to human services; providing for appointment of a member to the child abuse prevention advisory council by the commissioner of human services; providing for an American Indian child welfare advisory council; amending Minnesota Statutes 1990, section 257.3579; Minnesota Statutes 1991 Supplement, section 299A.23, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 and 2, delete section 1

Page 2, line 22, strike everything after the period

Page 2, strike line 23

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 5 and 6

Page 1, line 7, delete "section 257.3579;" and insert "amending"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 1818 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1818	1668		

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1818 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1818 and insert the language after the enacting clause of S.F. No. 1668, the first engrossment; further, delete the title of H.F. No. 1818 and insert the title of S.F. No. 1668, the first engrossment.

And when so amended H.F. No. 1818 will be identical to S.F. No. 1668, and further recommends that H.F. No. 1818 be given its second reading and substituted for S.F. No. 1668, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 2465 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2465	2029				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2465 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2465 and insert the language after the enacting clause of S.F. No. 2029; further, delete the title of H.F. No. 2465 and insert the title of S.F. No. 2029.

And when so amended H.F. No. 2465 will be identical to S.F. No. 2029, and further recommends that H.F. No. 2465 be given its second reading and substituted for S.F. No. 2029, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 1744 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1744	1710		

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred

H.F. No. 2377 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File

as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2377	1968				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2377 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2377 and insert the language after the enacting clause of S.F. No. 1968, the first engrossment; further, delete the title of H.F. No. 2377 and insert the title of S.F. No. 1968, the first engrossment.

And when so amended H.F. No. 2377 will be identical to S.F. No. 1968, and further recommends that H.F. No. 2377 be given its second reading and substituted for S.F. No. 1968, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 2095: A bill for an act relating to the environment; pollution control; conforming certain pollution control measures to federal Clean Air Act amendments; authorizing assessment of emission fees; changing method used for calculating emission fees; changing the definition of chlorofluorocarbons; establishing a small business air quality compliance assistance program; providing for the appointment of an ombudsman for small business air quality compliance assistance; creating a small business air quality compliance advisory council; amending Minnesota Statutes 1990, section 116.70, subdivision 3; Minnesota Statutes 1991 Supplement, section 116.07, subdivision 4d; proposing coding for new law in Minnesota Statutes, chapter 116.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 16, insert:

"Section 1. Minnesota Statutes 1990, section 116.02, subdivision 1, is amended to read:

Subdivision 1. A pollution control agency, designated as the Minnesota pollution control agency, is hereby created. The agency *board* shall consist of nine members appointed by the governor, by and with the advice and consent of the senate. One of such members shall be a person knowledgeable in the field of agriculture.

Sec. 2. Minnesota Statutes 1990, section 116.02, subdivision 2, is amended to read:

Subd. 2. The membership terms, compensation, removal of members, and filling of vacancies on the agency *board* shall be as provided in section 15.0575.

Sec. 3. Minnesota Statutes 1990, section 116.02, subdivision 3, is amended to read:

Subd. 3. The membership of the pollution control agency *board* shall be broadly representative of the skills and experience necessary to effectuate the policy of sections 116.01 to 116.075, except that no member appointed shall be an officer or employee of the state or federal government. Only two members at one time may be officials or employees of a municipality or any governmental subdivision, but neither may be a member *ex officio* or otherwise on the management board of a municipal sanitary sewage disposal system.

Sec. 4. Minnesota Statutes 1990, section 116.02, subdivision 4, is amended to read:

Subd. 4. The agency *board* shall elect a chair and such other officers as it deems necessary.

Sec. 5. Minnesota Statutes 1990, section 116.02, is amended by adding a subdivision to read:

Subd. 4a. [ORGANIZATIONAL DUTIES.] The agency board shall:

(1) establish long-term strategic policies for environmental regulation;
(2) review and comment on proposed agency rules with major strategic or environmental impact;

(3) hear appeals of decisions of the commissioner of the agency;

(4) adopt procedures and criteria for hearing appeals of the commissioner's decisions in controversial matters;

(5) adopt procedures to make the commissioner's decision immediately final in noncontroversial matters;

(6) develop a statement of its role and purpose and provide systematic orientation for new members;

(7) perform an annual review of the agency's implementation of board policy; and

(8) take any other steps necessary to maintain broad administrative and policy oversight of the agency."

Page 4, lines 21 and 25, delete "4 to 7" and insert "9 to 12"

Page 8, line 12, delete "7" and insert "12"

Page 8, lines 19 and 28, delete "4 to 7" and insert "9 to 12"

Page 8, line 23, delete "shall" and insert "must"

Page 9, line 4, delete "4 to 7" and insert "9 to 12"

Page 9, line 10, delete "shall have" and insert "has"

Page 9, line 22, delete "shall consist" and insert "consists"

Page 9, line 31, delete everything after "sources"

Page 9, line 32, delete everything before the semicolon

Page 9, after line 36, insert:

"The majority and minority leaders of the house of representatives and the senate shall each appoint one of the members listed in clause (3)."

Page 10, after line 15, insert:

"Sec. 13. [REPORT.]

The pollution control agency board shall develop proposed procedures and criteria under section 5, clause (4), and report the proposed procedures and criteria to the legislative committees having jurisdiction over natural resources and environmental issues by January 1, 1993."

Page 10, line 17, delete "2" and insert "7" and after the period, insert "Sections 1 to 5 are effective July 1, 1993."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "clarifying and distinguishing organizational duties of the board of the pollution control agency;"

Page 1, line 11, after the semicolon, insert "requiring a report;"

Page 1, line 12, delete "section" and insert "sections 116.02, subdivisions 1, 2, 3, 4, and by adding a subdivision; and"

And when so amended the bill do pass and be re-referred to the Committee on Environment and Natural Resources. Amendments adopted. Report adopted.

Mr. Waldorf from the Committee on Governmental Operations, to which was referred

S.F. No. 2273: A bill for an act relating to state government; reorganizing, consolidating, and restructuring state agencies and departments; creating the department of environmental protection and conservation, the board of environmental review, and the office of assistance and public advocacy; transferring all powers and duties of the pollution control agency, the department of natural resources, the environmental quality board, the board of water and soil resources, the office of waste management, the harmful substances compensation board, the petroleum tank release compensation board, and the agricultural chemical response compensation board; transferring certain powers and duties of the departments of agriculture, health, public safety, trade and economic development, and transportation; authorizing rulemaking; amending Minnesota Statutes 1991 Supplement, section 15A.081, subdivision 1; proposing coding for new law as Minnesota Statutes, chapters 100A; and 100B.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

Section 1. [100A.01] [DEPARTMENT OF ENVIRONMENTAL PROTECTION AND CONSERVATION.]

Subdivision 1. [ESTABLISHMENT AND ORGANIZATION.] The department of environmental protection and conservation is an agency in the executive branch of state government. The department is headed by a commissioner appointed by the governor subject to section 15.06. The commissioner may select one deputy, one executive assistant, one personal secretary, and up to four assistant commissioners. The commissioner and

these employees are in the unclassified service. The commissioner may employ other permanent and temporary employees in the classified service.

Subd. 2. [REGIONAL OFFICES.] In order to better serve the needs of the public and promote efficient administration, the commissioner shall establish six regional offices throughout the state. Regions may be patterned upon previous regions used by the department of natural resources, and must be arranged in a manner that makes maximum use of existing state-owned facilities.

Sec. 2. [100B.01] [ENVIRONMENTAL REVIEW BOARD.]

Subdivision 1. [MEMBERSHIP.] The environmental review board consists of seven members appointed by the governor and the commissioners of the departments of agriculture, transportation, health, and environmental protection and conservation. The commissioners are nonvoting members. The terms, compensation, and removal of the members appointed by the governor and the filling of their membership vacancies are governed by section 15.0575.

Subd. 2. [OFFICERS; EMPLOYEES; BUDGET.] The board shall elect a chair and may elect other officers from its voting members. A majority of the board constitutes a quorum. The board may employ a director in the unclassified service and other permanent and temporary employees in the unclassified and classified services. The commissioner of environmental protection and conservation shall furnish the board with other staff and administrative support. The board shall adopt an annual budget and work program.

Subd. 3. [POLITICAL NONPARTICIPATION.] While holding an appointment to the board, a member may not:

(1) be affiliated with or receive any income, directly or indirectly, from an entity that is subject to regulation by the department of environmental protection and conservation or an organization that attempts to exert influence over state environmental or conservation policy;

(2) engage in activities of a politically partisan nature; or

(3) hold another state or federal office other than a commission in a reserve component of the military forces of the United States or as a notary public.

Sec. 3. [100B.02] [OFFICE OF ASSISTANCE AND PUBLIC ADVOCACY.]

Subdivision 1. [ESTABLISHMENT AND ORGANIZATION.] The office of assistance and public advocacy is headed by a director appointed by the governor who serves in the unclassified service. The director may employ other permanent and temporary employees in the classified service.

Subd. 2. [POWERS AND DUTIES.] The office shall:

(1) function as the environmental permits coordination unit under sections 116C.22 to 116C.34;

(2) coordinate with local government units in implementing state and local environmental and natural resource programs and requirements;

(3) advocate on behalf of the public interest in administrative and judicial proceedings involving matters affecting natural resources or the environment;

- (4) receive and process citizen complaints as provided in subdivision 3;*
- (5) make recommendations to the commissioner of the department of environmental protection and conservation, the governor, and the legislature on ways to improve the operation of the department; and*
- (6) submit an annual report describing the office's activities to the chairs of the legislative committees having jurisdiction over natural resources and the environment.*

Subd. 3. [CITIZEN COMPLAINTS.] (a) The office shall:

- (1) receive and forward to the appropriate persons in the department of environmental protection and conservation complaints from citizens relating to actions or inaction of the department; and*
- (2) investigate a citizen complaint where the complaint indicates that a department action or inaction may have been:*

- (i) contrary to law;*
- (ii) unreasonable, unfair, oppressive, or inconsistent;*
- (iii) arbitrary;*
- (iv) unclear or inadequately explained; or*
- (v) inefficiently performed.*

(b) If the director determines that a complaint has merit or another problem is revealed by the investigation, the director may recommend that the commissioner:

- (1) consider the matter further;*
- (2) modify or cancel the commissioner's actions;*
- (3) alter a rule, order, or internal policy;*
- (4) explain the action more fully; or*
- (5) take other action.*

(c) At the director's request, the commissioner shall, within a reasonable time, inform the director of the actions taken in response to the recommendation or the reasons for not taking action.

Subd. 4. [THIRD-PARTY SERVICES.] At the director's discretion, the office may provide mediation, conciliation, and other third-party services to requesting parties, including local government units, to aid in resolving disputes involving matters relating to natural resources or the environment.

Sec. 4. [INTERGOVERNMENTAL COORDINATION; ADVISORY TASK FORCE; REPORT.]

Subdivision 1. [ADVISORY TASK FORCE.] The director of the office of assistance and public advocacy shall establish an advisory task force to assist in coordinating state and local environmental and natural resource programs and requirements. The membership of the advisory task force must include equal and broad representation of state and local government units. The task force terminates one year after it is established.

Subd. 2. [REPORT.] The advisory task force established under subdivision 1 shall prepare a report that includes recommendations for coordinating, streamlining, and consolidating state and local programs, requirements,

and functions relating to natural resources and the environment. The report must be submitted by one year after the establishment of the task force to the chairs of the legislative committees having jurisdiction over environmental and natural resource issues.

Sec. 5. [TRANSFER OF POWERS AND DUTIES; ABOLITION OF AGENCIES.]

Subdivision 1. [TRANSFER.] The powers and duties of the department of natural resources; the board of water and soil resources, except those transferred to the environmental review board under section 7, subdivision 3; the office of waste management; and the pollution control agency are transferred to the department of environmental protection and conservation under Minnesota Statutes, section 15.039.

Subd. 2. [ABOLITION.] The department of natural resources, the board of water and soil resources, the office of waste management, and the pollution control agency are abolished.

Subd. 3. [PERSONNEL.] Except for positions transferred under section 7, personnel positions in each of the abolished agencies which are in the classified service are continued and are transferred to the department of environmental protection and conservation along with the function transferred. Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, unclassified positions in an abolished agency which are covered by the commissioner's plan established under Minnesota Statutes, section 43A.18, subdivision 2, are abolished. Nothing in this section abrogates or modifies any rights of affected employees under terms of an agreement between an exclusive bargaining representative and the state or one of its appointing authorities.

Subd. 4. [REPORTS.] (a) The commissioner of administration shall report to the legislative committees having jurisdiction over environment and natural resources and governmental operations by January 1, 1993, on reorganization strategy, progress, problems, and analyses of potential conflicts and overlapping jurisdiction. The report must include recommendations for an organizational structure for the department of environmental protection and conservation that promotes integrated and balanced resource management and protection.

(b) The commissioner of environmental protection and conservation shall report to the committees in paragraph (a) by January 1, 1994, on the reorganization and any unmet needs or issues requiring legislation.

(c) The commissioner of administration shall report to the divisions of the senate finance and house of representatives appropriation committees having jurisdiction over environment and natural resources by March 1, 1993, on a central building location and employee consolidation for the department of environmental protection and conservation, including regional offices created under section 1, subdivision 2.

Sec. 6. [TRANSFERS FROM OTHER AGENCIES.]

Subdivision 1. [DEPARTMENT OF AGRICULTURE.] The following powers and duties of the department of agriculture are transferred to the department of environmental protection and conservation under Minnesota Statutes, section 15.039:

(1) regulation of fertilizers, soil amendments, agricultural liming, and plant amendments under Minnesota Statutes, chapter 18C;

(2) *pesticide control under Minnesota Statutes, chapter 18B;*

(3) *agriculture chemical incident response and cleanup under Minnesota Statutes, chapter 18D;*

(4) *chemical incident reimbursement under Minnesota Statutes, chapter 18E;*

(5) *urban forest promotion under Minnesota Statutes, section 17.86;*

(6) *mosquito abatement under Minnesota Statutes, sections 18.041 to 18.161; and*

(7) *groundwater protection under Minnesota Statutes, chapter 103H.*

Subd. 2. [DEPARTMENT OF HEALTH.] The following powers and duties of the department of health are transferred to the department of environmental protection and conservation under Minnesota Statutes, section 15.039:

(1) *water well program under Minnesota Statutes, chapter 103I;*

(2) *safe drinking water program under Minnesota Statutes, sections 144.381 to 144.387;*

(3) *health risk assessment under Minnesota Statutes, section 115B.17, subdivision 10;*

(4) *wellhead protection under Minnesota Statutes, sections 144.35 to 144.37;*

(5) *asbestos contractor licensing under Minnesota Statutes, sections 326.70 to 326.83;*

(6) *public health laboratory regulation under Minnesota Statutes, section 144.98;*

(7) *lead abatement under Minnesota Statutes, sections 144.871 to 144.878;*

(8) *hazardous substance exposure under Minnesota Statutes, section 145.94;*

(9) *mosquito research under Minnesota Statutes, section 144.95;*

(10) *water supply monitoring and health assessments under Minnesota Statutes, section 473.845, subdivision 2; and*

(11) *health risk limits under Minnesota Statutes, section 103H.201.*

Subd. 3. [ENVIRONMENTAL QUALITY BOARD.] The following powers and duties of the environmental quality board are transferred to the department of environmental protection and conservation under Minnesota Statutes, section 15.039:

(1) *radioactive waste management under Minnesota Statutes, sections 116C.705 to 116C.852; and*

(2) *genetic engineering under Minnesota Statutes, sections 116C.91 to 116C.96.*

Subd. 4. [DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT.] The following powers and duties of the department of trade and economic development are transferred to the department of environmental protection and conservation under Minnesota Statutes, section 15.039:

(1) *energy loans under Minnesota Statutes, sections 216C.36 and 216C.37 and*

(2) *outdoor recreation grants under Minnesota Statutes, section 116J.406.*

Subd. 5. [DEPARTMENT OF PUBLIC SERVICE.] *The following powers and duties of the department of public service are transferred to the department of environmental protection and conservation under Minnesota Statutes, section 15.039: energy conservation under Minnesota Statutes, sections 216C.01 to 216C.35 and 216C.373 to 216C.381.*

Subd. 6. [DEPARTMENT OF TRANSPORTATION.] *The following powers and duties of the department of transportation are transferred to the department of environmental protection and conservation under Minnesota Statutes, section 15.039: hazardous waste shipment and licensing under Minnesota Statutes, sections 221.033 to 221.036 and 221.172.*

Subd. 7. [PERSONNEL.] *Personnel positions in each of the agencies or boards for which powers and duties are transferred under subdivisions 1 to 6, and which are in the classified service, are continued and are transferred to the department of environmental protection and conservation along with the function transferred. Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, unclassified positions for which powers and duties are transferred and which are covered by the commissioner's plan established under Minnesota Statutes, section 43A.18, subdivision 2, are abolished. Nothing in this section abrogates or modifies any rights of affected employees under terms of an agreement between an exclusive bargaining representative and the state or one of its appointing authorities.*

Sec. 7. [TRANSFER OF POWERS AND DUTIES: ABOLITION OF BOARDS.]

Subdivision 1. [TRANSFER.] *The powers and duties of the environmental quality board, except those transferred to the department of environmental protection and conservation under section 6, subdivision 3; the harmful substances compensation board; the petroleum tank release compensation board; and the agricultural chemical response board are transferred to the environmental review board under Minnesota Statutes, section 15.039.*

Subd. 2. [ABOLITION.] *The environmental quality board, the harmful substances compensation board, the petroleum tank release compensation board, and the agricultural chemical response board are abolished.*

Subd. 3. [WATER PROTECTION.] *The following powers and duties of the board of water and soil resources are transferred to the board under Minnesota Statutes, section 15.039:*

(1) *determination of water law and policy under Minnesota Statutes, sections 103A.301 to 103A.341;*

(2) *review of metropolitan area watershed management plans under Minnesota Statutes, section 103B.231, subdivision 9;*

(3) *resolution of disputes with respect to comprehensive local water plans under Minnesota Statutes, section 103B.345; and*

(4) *appeals of watershed district orders under Minnesota Statutes, section 103D.535.*

Subd. 4. [PERSONNEL.] *Except for positions transferred under sections 5 and 6, personnel positions in the environmental quality board, the board*

of water and soil resources, the harmful substances compensation board, the petroleum tank release compensation board, and the agricultural chemical response board for which powers and duties are transferred under subdivisions 1 and 3, and which are in the classified service, are continued and are transferred to the environmental review board along with the function transferred. Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, unclassified positions for which powers and duties are transferred and which are covered by the commissioner's plan established under Minnesota Statutes, section 43A.18, subdivision 2, are abolished. Nothing in this section abrogates or modifies any rights of affected employees under terms of an agreement between an exclusive bargaining representative and the state or one of its appointing authorities.

Sec. 8. [TRANSFER OF POWERS AND DUTIES; PERSONNEL.]

(a) The environmental permit coordination procedures of the department of trade and economic development under Minnesota Statutes, sections 116C.22 to 116C.34, are transferred to the office of assistance and public advocacy.

(b) Personnel positions in the department of trade and economic development for which powers and duties are transferred under paragraph (a), and which are in the classified service, are continued and are transferred to the office of assistance and public advocacy along with the function transferred. Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, positions for which powers and duties are transferred and which are in the unclassified service are abolished.

Sec. 9. [LEGISLATIVE INTENT.]

The legislature intends that this article be implemented in a manner consistent with Minnesota Statutes, sections 116D.01 to 116D.03.

Sec. 10. [GOVERNOR'S BUDGET.]

The governor's budget for the biennium beginning July 1, 1993, must provide for and take into account the reorganization in sections 1 to 3 and 5 to 8, including a reflection of cost savings accomplished by the reorganization.

Sec. 11. [REVISOR'S INSTRUCTION.]

In consultation with legislative staff and affected agencies, the revisor shall prepare a recodification of and amendments to Minnesota Statutes to give effect to sections 1 to 3 and 5 to 8 and present the recodification and amendments to the legislature no later than January 1, 1993.

Sec. 12. [EFFECTIVE DATE.]

Sections 1 to 8 are effective July 1, 1993.

ARTICLE 2

Section 1. Minnesota Statutes 1991 Supplement, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. [SALARY RANGES.] The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

Salary Range

Effective

July 1, 1987

\$57,500-\$78,500

Commissioner of finance;
Commissioner of education;
Commissioner of environmental protection and conservation;
Commissioner of transportation;
Commissioner of human services;
Commissioner of revenue;
Commissioner of public safety;
Executive director, state board of investment;
Director of the state lottery;

\$50,000-\$67,500

Commissioner of administration;
Commissioner of agriculture;
Commissioner of commerce;
Commissioner of corrections;
Commissioner of jobs and training;
Commissioner of employee relations;
Commissioner of health;
Commissioner of labor and industry;
Commissioner of natural resources;
Commissioner of trade and economic development;
Chief administrative law judge; office of administrative
hearings;
Commissioner, pollution control agency;
Director, office of waste management;
Commissioner, housing finance agency;
Executive director, public employees retirement
association;
Executive director, teacher's retirement association;
Executive director, state retirement system;
Chair, metropolitan council;
Chair, regional transit board;

\$42,500-\$60,000

Commissioner of human rights;
Commissioner, department of public service;
Commissioner of veterans' affairs;
Commissioner, bureau of mediation services;
Commissioner, public utilities commission;
Member, transportation regulation board;
Ombudsman for corrections;
Ombudsman for mental health and retardation.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective July 1, 1993."

And when so amended the bill do pass and be re-referred to the Committee on Environment and Natural Resources. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 2529, 2069, 2566, 2367, 1558, 1728, 2396, 2282 and 2186 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2142, 980, 1818, 2465, 1744 and 2377 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Morse moved that the name of Mr. Langseth be added as a co-author to S.F. No. 2736. The motion prevailed.

Mrs. Benson, J.E. moved that the name of Mr. Laidig be added as a co-author to S.F. No. 2741. The motion prevailed.

Mr. Stumpf moved that his name be stricken as chief author and the name of Mr. Hottinger be added as chief author to S.F. No. 2551. The motion prevailed.

Mr. Neuville moved that the name of Mr. Stumpf be added as a co-author to S.F. No. 2555. The motion prevailed.

Ms. Reichgott moved that the names of Messrs. Kelly and Price be added as co-authors to S.F. No. 1884. The motion prevailed.

Mr. Metzen moved that his name be stricken as a co-author to S.F. No. 1901. The motion prevailed.

Mr. Pogemiller moved that S.F. No. 2648 be withdrawn from the Committee on Finance and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Mondale moved that S.F. No. 2136 be withdrawn from the Committee on Transportation, given a second reading and placed on General Orders. The motion prevailed.

Without objection, remaining on the Order of Business of Motions and

Resolutions, the Senate reverted to the Order of Business of Second Reading of Senate Bills.

SECOND READING OF SENATE BILLS

S.F. No. 2136 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Marty moved that S.F. No. 2730 be withdrawn from the Committee on Judiciary and returned to its author. The motion prevailed.

CONSENT CALENDAR

S.F. No. 2514: A bill for an act relating to the Yellow Medicine county hospital district; providing for hospital board membership and elections; amending Laws 1963, chapter 276, sections 2, subdivision 2, and by adding subdivisions; and 4.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Day	Johnson, J.B.	Moe, R.D.	Riveness
Beckman	DeCramer	Johnston	Mondale	Sams
Belanger	Dicklich	Kelly	Morse	Samuelson
Benson, D.D.	Finn	Knaak	Neuville	Solon
Benson, J.E.	Flynn	Kroening	Novak	Spear
Berg	Frank	Laidig	Olson	Stumpf
Berglin	Frederickson, D.J.	Langseth	Pappas	Terwilliger
Bernhagen	Frederickson, D.R.	Larson	Pariseau	Traub
Bertram	Gustafson	Luther	Piper	Vickerman
Brataas	Halberg	Marty	Pogemiller	Waldorf
Chmielewski	Hottinger	McGowan	Price	
Cohen	Hughes	Mehrkens	Ranum	
Dahl	Johnson, D.E.	Merriam	Reichgott	
Davis	Johnson, D.J.	Metzen	Renneke	

So the bill passed and its title was agreed to.

S.F. No. 2124: A bill for an act relating to crimes; increasing the distance an accused or convicted person may be transferred without an escort of the same sex; amending Minnesota Statutes 1990, section 631.412.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Adkins	Davis	Johnson, D.E.	Merriam	Ranum
Beckman	Day	Johnson, D.J.	Metzen	Reichgott
Belanger	DeCramer	Johnson, J.B.	Moe, R.D.	Renneke
Benson, D.D.	Dicklich	Johnston	Mondale	Riveness
Benson, J.E.	Finn	Kelly	Morse	Sams
Berg	Flynn	Knaak	Neuville	Samuelson
Berglin	Frank	Kroening	Novak	Solon
Bernhagen	Frederickson, D.J.	Laidig	Olson	Spear
Bertram	Frederickson, D.R.	Larson	Pappas	Stumpf
Brataas	Gustafson	Luther	Pariseau	Terwilliger
Chmielewski	Halberg	Marty	Piper	Traub
Cohen	Hottinger	McGowan	Pogemiller	Vickerman
Dahl	Hughes	Mehrkens	Price	

So the bill passed and its title was agreed to.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Mr. Hughes in the chair.

After some time spent therein, the committee arose, and Mr. Hughes reported that the committee had considered the following:

S.F. Nos. 1722, 1801, 1729, 2159 and H.F. No. 1862, which the committee recommends to pass.

S.F. No. 512, which the committee reports progress, subject to the following motion:

Mr. Waldorf moved to amend S.F. No. 512 as follows:

Page 4, line 21, delete "*make*" and insert "*adopt*"

Page 4, line 22, after "*rules*" insert "*under chapter 14*" and delete "*The*"

Page 4, delete lines 23 to 25

The motion prevailed. So the amendment was adopted.

S.F. No. 512 was then progressed.

On motion of Mr. Moe, R.D., the report of the Committee of the Whole, as kept by the Secretary, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Mr. Dicklich introduced—

S.F. No. 2751: A bill for an act relating to taxation; property tax; granting a temporary exemption for certain utility distribution property located in St. Louis, Cook, Itasca, and Lake counties.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Benson, D.D.; McGowan; Neuville; Ms. Johnston and Mr. Halberg introduced—

S.F. No. 2752: A resolution making application to the Congress of the United States to adopt an amendment to the Constitution of the United States, for submission to the States, to require, with certain exceptions, that

the Federal budget be balanced; or, in the alternative, to call a convention for the sole and exclusive purpose of proposing such an amendment for submission to the States for ratification.

Referred to the Committee on Finance.

Messrs. Mondale, Pogemiller and Dicklich introduced—

S.F. No. 2753: A bill for an act relating to education; permitting students to cast nonbinding votes during a school district primary, general, or special election; proposing coding for new law in Minnesota Statutes, chapter 205A.

Referred to the Committee on Elections and Ethics.

Mses. Pappas and Flynn introduced—

S.F. No. 2754: A resolution memorializing Congress to grant statehood to the District of Columbia.

Referred to the Committee on Veterans and General Legislation.

Mr. Johnson, D.J.; Ms. Reichgott, Messrs. Pogemiller and Frederickson, D.J. introduced—

S.F. No. 2755: A bill for an act relating to taxation; income and franchise; updating references to the Internal Revenue Code; providing for payment of corporate estimated tax; amending Minnesota Statutes 1990, section 289A.26, subdivision 7; Minnesota Statutes 1991 Supplement, section 290.01, subdivision 19.

Referred to the Committee on Taxes and Tax Laws.

Ms. Piper introduced—

S.F. No. 2756: A bill for an act relating to the department of jobs and training; establishing standards for supported employment services; requiring cooperation among departments; proposing coding for new law in Minnesota Statutes, chapter 252.

Referred to the Committee on Health and Human Services.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 155: Mrs. Brataas, Mr. Novak and Ms. Flynn.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

ADJOURNMENT

Mr. Moe, R.D. moved that the Senate do now adjourn until 12:45 p.m., Friday, March 20, 1992. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate